

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE FOR THE TWENTIETH
JUDICIAL DISTRICT AT NASHVILLE

STATE OF TENNESSEE,
Petitioner,

v.

HEILIG-MEYERS FURNITURE
COMPANY, Inc., a foreign corporation,

Respondent

PETITION

Paul G. Summers, Attorney General and Reporter for the State of Tennessee, (hereinafter "Attorney General"), files this Petition pursuant to Tenn. Code Ann. § 47-18-107 of the Tennessee Consumer Protection Act of 1977 (hereinafter "the Act"), and would respectfully show the Court as follows:

1. The Attorney General, acting pursuant to the Act, has investigated certain acts and practices of Heilig-Meyers Furniture Company, Inc. (hereinafter, "Respondent"). Upon completion of such investigation, the Attorney General has determined the conduct of Respondent specifically described in Paragraph 2 of this Petition, constituted an unfair and deceptive act or practice affecting the conduct of trade or commerce in the State of Tennessee in violation of Tenn. Code Ann. § 47-18-101 *et seq.* (the Tennessee Consumer Protection Act.) More specifically, Respondent's conduct is violative of Tenn. Code Ann. §§ 47-18-104(a) and (b)(27).

2. Based upon the investigation of Respondent, the Attorney General alleges the following:

(A) Respondent is in the retail furniture business with its corporate offices being in Richmond, Virginia and retail furniture stores throughout the State of Tennessee.

(B) During the State's investigation, information was obtained that one of Respondent's employees sent a debt collection letter to a consumer threatening the filing of criminal charges against the consumer if she did not respond to the letter. The employee sent the letter using a false business title and under the false pretenses that the store would file criminal charges.

(C) Respondent's conduct constitutes unfair and deceptive acts or practices.

3. Respondent does not admit to any wrongdoing.
4. The Attorney General entered into negotiations with Respondent and the parties have agreed to, and the Division has approved, the attached Assurance of Voluntary Compliance.
5. In accordance with the provisions of Tenn. Code Ann. § 47-18-107(c), the execution, delivery and filing of the Assurance does not constitute an admission of prior violation of the Act.
6. The Division, the Attorney General, and the Respondent, the parties who are primarily interested in the matters set forth in Paragraph 2 hereof, have jointly agreed to the Assurance of Voluntary Compliance and join in its filing.

PREMISES CONSIDERED, Petitioner prays

1. That this Petition be filed without cost bond pursuant to the provisions of Tenn. Code Ann. §§ 20-13-101 and 47-18-116.
2. That the Assurance of Voluntary Compliance be approved and filed in accordance with the provisions of the Tennessee Consumer Protection Act.